

the said J^d. Tunstall his action and thereupon against him the said J^d. Videll to have and maintain
Ought not because he saith that after the sealing & making of the writing obligatory and before
the impetration of original writt of him the said J^d. Tunstall against him the said J^d. Videll
he the said J^d. Videll hath well & truly fulfilled & performed & kept all & singular of covenants
conception's payment's articles & agreement's on y^e part of him the said J^d. Videll to be performed fulfilled
& kept according to y^e force forme & effect of y^e condition of y^e same writing obligatory & this he is
ready to verify whereupon he prays Judgment: if y^e said J^d. Tunstall his action and thereupon against
him the said J^d. Videll to have and maintain Ought &

AND the said J^d. Tunstall says that he by anything preadged from have inge
maintaining his action and against y^e said J^d. Videll Ought not to be concluded because
protesting that the said J^d. Videll hath not fulfilled performed & kept all & singular of
covenants conception's payment's articles & agreement's on y^e part of y^e same J^d. Videll to be performed
fulfilled & kept according to y^e form & effect of the condition as the said J^d. Videll hath
above alledged for plea he saith that y^e said J^d. Videll did not appear unto y^e action
and of y^e said J^d. Marknight as he according to y^e condition and for y^e judgmenting y^e said
J^d. Tunstall that he the said John Tunstall by means of his being Bound for y^e
appearance of the said Videll as y^e condition and is ~~not~~ specified by said Videll's not appear-
ing as he according to y^e form of y^e said condition for judgmenting y^e said J^d. Tunstall
Ought hath been Damnyfied paid & obliged to Expand for y^e Exburating & Discharging him
: sume in that part y^e Sum of Eighty four pounds Sterling & three thousand pounds of lob
that is to say the tenth Day of November Ann^o: Dom^o: One thousand Seven Hundred & twenty
Seven at Southwell County within y^e Jur^{is} of this Court & this he is ready to verify wherefore
the said J^d. Tunstall prays Judgment: & his Debt and together with his Dam^o: for Detaining his
said Debt to be adjudged him &

AND the said J^d. Videll as before saith y^e he y^e said
John hath well & truly fulfilled & performed & kept all & singular of covenants conception's
payment's articles & agreement's on y^e part of him the said J^d. Videll to be performed fulfilled & kept
according to y^e force forme & effect of y^e condition of the writing obligatory and as above in his
plea is set forth & of this he puts himself upon the Country &

Thereupon Command is given to the Sher^{iff} of Somerset County aforesaid that immediately he cause
to come here twelve ~~by~~ by whom ~~to~~ who neither ~~to~~ to recognize ~~to~~ because as well ~~to~~ of which said
precept the said Sher^{iff} to wit John Esmale Gent. hath here ready twelve
by his said precept he was ~~summed~~ and now here ~~summed~~ to wit the same Eighteenth day of
of March Ann^o: Dom^o: One thousand Seven hundred and twenty eight comes and makes Return that he
hath here ready twelve ~~to~~ as by his said precept he was ~~summed~~ and now here afterwards to wit the
same day and year come as well ~~to~~ John Tunstall by his attorney as the said John Videll by in ~~body~~
as ap^{peared} by his attorney and the Jurors of that Jury therein Impanelled being called ~~to~~ ~~to~~
to wit Thomas Humphrey, Samuel Taylor, William Simpson, James Thompson, George Riggini
Robert Collier, Peter Frayer, William Rand, John Harris, George Benton, Daniel Maddox, Thomas
Walker who being duly elected tryed and sworn to say the truth in the premises upon their Oath
do say that the said John Videll did not well and truly fulfill, perform, and keep, all and singular,
the covenants, ~~conception's~~ conception's, payment's, articles, and agreement's, as on the part of the said John
Videll